

# State of South Dakota

## EIGHTY-FIFTH SESSION LEGISLATIVE ASSEMBLY, 2010

398R0036

### HOUSE EDUCATION ENGROSSED NO. **SB 145** 2/22/2010

Introduced by: Senators Merchant, Ahlers, Jerstad, Nelson, and Tieszen and Representatives Romkema, Engels, Fargen, Feinstein, Frerichs, Hamiel, Iron Cloud III, Kirkeby, McLaughlin, Moser, Schlekeway, Solum, Sorenson, Vanderlinde, and Verchio

1 FOR AN ACT ENTITLED, An Act to revise certain qualifications for the South Dakota  
2 opportunity scholarship program.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 13-55-34 be amended to read as follows:

5 13-55-34. In order to maintain eligibility, a student shall:

- 6 (1) Maintain a cumulative 3.0 grade point average on a 4.0 scale. Cumulative grade point  
7 average shall be calculated after the second semester and every semester thereafter.  
8 The student shall complete consecutive spring and fall terms in order to remain  
9 eligible for continuation of the scholarship program from term to term. A student  
10 whose cumulative grade point average falls below 3.0 on a 4.0 scale shall forfeit the  
11 scholarship for the subsequent semester and for subsequent semesters until the  
12 student has reestablished eligibility. To reestablish eligibility, the student shall  
13 comply with all course load, enrollment, and proficiency examination requirements



for continued eligibility stated in §§ 13-55-30 to 13-55-35, inclusive, and the student shall achieve a cumulative grade point average of 3.0, or greater, on a 4.0 scale. The scholarship shall be reinstated beginning the semester following that in which the student achieves a cumulative grade point average of 3.0, or greater, on a 4.0 scale. Reinstatement of a scholarship does not extend the time allowed under the scholarship program; any scholarship award forfeited cannot be reclaimed after a student has regained eligibility. A student whose cumulative grade point average falls below 3.0 on a 4.0 scale a second time forfeits the scholarship for all subsequent semesters; and

(2) ~~Complete fifteen credit hours of instruction per semester. The student shall enroll in and complete at least fifteen credit hours of instruction in each consecutive spring and fall term. Earn thirty credit hours prior to the beginning of the second year of instruction, sixty credit hours prior to the beginning of the third year of instruction, and ninety credit hours prior to the fourth year of instruction.~~ If the executive director of the Board of Regents determines that a student's failure to enroll or to maintain continued enrollment occurred as a direct result of legitimate factors outside the student's control, or has resulted from the student's participation in an activity that in the executive director's judgment provides knowledge or experience that will enhance the student's academic pursuits, the executive director may extend the student's eligibility to participate in the program for up to two additional years, if the student does not enroll in a noneligible institution; ~~and~~

~~(3) Sit for and pass all sections of a college proficiency exam as required by Board of Regents Policy Number 2.28 as in effect on January 1, 2003, at the end of the sophomore year. The Board of regents may review and adjust the proficiency~~

1       ~~examinations administered in keeping with sound academic practice. If such changes~~  
2       ~~are made, the Board of Regents shall notify all eligible institutions of new testing~~  
3       ~~standards or requirements. If the student fails to pass the proficiency examinations~~  
4       ~~the first time, eligibility is forfeited for continuation in the scholarship program.~~